

House Study Bill 222 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
PUBLIC SAFETY BILL BY
CHAIRPERSON KLEIN)

A BILL FOR

1 An Act relating to access to the statewide interoperable
2 communications system, and providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 80.30 Statewide interoperable
2 communications system — user application.

3 1. As used in this section:

4 a. "Board" means the statewide interoperable communications
5 system board established in section 80.28.

6 b. "Governmental entity" means an entity that is an agency
7 of state or federal government, a political subdivision of this
8 state, or a separate legal or administrative entity created
9 pursuant to chapter 28E.

10 c. "Public safety entity" means any of the following:

11 (1) Law enforcement agencies which employ one or more sworn
12 law enforcement officers.

13 (2) Fire departments, including paid or volunteer fire
14 departments, and benefited fire districts.

15 (3) Emergency medical services providers, whether paid
16 or volunteer, including but not limited to first responders,
17 emergency medical technicians, paramedics, and ambulance
18 services.

19 (4) Emergency 911 dispatch entities.

20 (5) Department of corrections facilities which employ one
21 or more correctional officers.

22 (6) Hazardous materials teams that are part of a law
23 enforcement agency, a fire department, or other governmental
24 entity.

25 (7) The Iowa national guard.

26 (8) Private safety entities which provide emergency fire,
27 ambulance, or medical services whether by full or part-time
28 employees or on a volunteer basis, including but not limited
29 to medical or osteopathic hospitals, clinics, or treatment
30 facilities.

31 (9) Any other entity deemed to be a public safety entity by
32 the statewide interoperable communications system board.

33 d. "Public services entity" means any of the following:

34 (1) Entities which provide water or sewer services.

35 (2) Public health entities.

- 1 (3) Emergency management agencies.
- 2 (4) Nuclear power facilities and nuclear power plant
- 3 incident responders.
- 4 (5) Hazardous materials teams other than those defined in
- 5 paragraph "c", subparagraph (6).
- 6 (6) Search and rescue or search and recovery teams.
- 7 (7) Highway transportation maintenance including but not
- 8 limited to the Iowa department of transportation and local
- 9 county engineers.
- 10 (8) Snow removal agencies.
- 11 (9) Waste removal agencies.
- 12 (10) Utilities which provide electric, gas, or other
- 13 services.
- 14 (11) College or university services.
- 15 (12) Schools and school districts.
- 16 (13) Airports and aviation services.
- 17 (14) Towing services.
- 18 (15) Any other entity deemed to be a public services entity
- 19 by the statewide interoperable communications system board.
- 20 e. "System" means the Iowa statewide interoperable
- 21 communications system.
- 22 2. a. A governmental entity, public safety entity, or
- 23 public services entity requesting access to the system shall
- 24 send a letter of intent meeting the requirements established by
- 25 the board to join the system to the chairperson of the board. A
- 26 sample letter of intent shall be placed on the board website.
- 27 b. The entity requesting access to the system shall also
- 28 file an application for access with the board on a form
- 29 provided by the board. Copies of the form shall be accessible
- 30 through the board's website. The entity requesting access
- 31 shall file the form and any requested information with the
- 32 board.
- 33 c. A governmental entity may also send a letter of intent
- 34 and file an application requesting system access for any
- 35 nongovernmental entity located in the governmental entity's

1 jurisdiction which the governmental entity believes should have
2 access to the system. The nongovernmental entity does not need
3 to be a public safety entity or a public services entity to
4 qualify for access under this paragraph.

5 3. The chairperson of the board shall forward the letter of
6 intent and the application to a user group committee. The user
7 group committee shall review the letter and determine whether
8 the entity requesting access to the system is a governmental
9 entity, public safety entity, or public services entity as
10 defined in subsection 1.

11 4. If the user group committee determines that the requestor
12 is a governmental entity, public safety entity, or public
13 services entity as defined in subsection 1, the letter and the
14 application shall be forwarded to the board for final approval.

15 5. Within ninety days from the receipt of the application,
16 the board shall approve the application if the entity
17 requesting access to the system is a governmental entity,
18 public safety entity, or public services entity as defined in
19 subsection 1. Within ninety days of receipt of an application,
20 the board shall also approve an application by a governmental
21 entity requesting system access be given to a nongovernmental
22 entity within the governmental entity's jurisdiction that the
23 governmental entity believes should have access to the system.

24 6. Upon approval of the application, the board shall provide
25 the approved governmental, public safety, or public services
26 entity or nongovernmental entity with access to the appropriate
27 frequencies and with all digital identification and software or
28 authorization necessary to allow the entity to join the system.

29 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
30 importance, takes effect upon enactment.

31

EXPLANATION

32 The inclusion of this explanation does not constitute agreement with
33 the explanation's substance by the members of the general assembly.

34 This bill creates an application process for access to the
35 statewide interoperable communications system.

1 The bill provides a process for a governmental entity,
2 a public safety entity, or a public services entity, or a
3 nongovernmental agency upon request of a governmental entity
4 to gain access to the statewide interoperable communications
5 system.

6 Under the bill, a governmental entity is defined as an agency
7 of state or federal government, a political subdivision of this
8 state, or a separate legal or administrative entity created
9 pursuant to Code chapter 28E.

10 "Public safety entity" is defined under the bill to include
11 any of the following: law enforcement agencies which employ
12 one or more sworn law enforcement officers; fire departments,
13 including paid or volunteer fire departments and benefitted
14 fire districts; emergency medical services providers including
15 but not limited to first responders, emergency medical
16 technicians, paramedics, and ambulance services, whether paid
17 or volunteer; emergency 911 dispatch entities; department of
18 corrections facilities which employ one or more correctional
19 officers; hazardous materials teams that are part of a law
20 enforcement agency, a fire department, or other governmental
21 entity; the Iowa national guard; private safety entities
22 which provide emergency fire, ambulance, or medical services
23 whether by full or part-time employees or on a volunteer basis
24 including but not limited to medical or osteopathic hospitals,
25 clinics, or treatment facilities; and any other entity deemed
26 to be a public safety entity by the statewide interoperable
27 communications system board.

28 The bill provides that a public services entity means
29 any of the following: entities which provide water or sewer
30 services; public health entities; emergency management
31 agencies; nuclear power facilities and nuclear power plant
32 incident responders; hazardous materials teams other than those
33 that are part of a law enforcement agency, a fire department,
34 or other governmental entity; search and rescue or search
35 recovery teams; highway transportation maintenance including

1 but not limited to the Iowa department of transportation and
2 local county engineers; snow removal agencies; waste removal
3 agencies; utilities which provide electric, gas, or other
4 services; college or university services; schools and school
5 districts; airports and aviation services; towing services; and
6 any other entity deemed to be a public services entity by the
7 statewide interoperable communications system board.

8 The bill provides that a governmental entity, public safety
9 entity, or public services entity requesting access to the
10 system must initially send a letter of intent to join the
11 system to the chairperson of the board. A sample of a letter
12 of intent can be found on the board website. The entity is
13 also required to file an application for access with the board
14 on a form provided by the board and supply all requested
15 information to the board. A governmental entity may also
16 file an application requesting system access on behalf of a
17 nongovernmental entity, which does not need to be a public
18 safety entity or a public services entity, that is located in
19 the governmental entity's jurisdiction, if the governmental
20 entity believes the nongovernmental entity should be allowed
21 access to the system. An application filed in this manner
22 will be presented directly to the board for approval without
23 going to a user group committee as required in the following
24 paragraph.

25 The bill requires the chairperson of the board to provide
26 the letter of intent to a user group committee for the
27 purpose of determining whether the entity requesting access
28 to the system meets the definition of a governmental entity,
29 public safety entity, or public services entity. If the user
30 group committee determines that the requestor does meet the
31 definition, the application shall be forwarded to the board
32 for final approval. Within 90 days from the receipt of an
33 application by a governmental entity, public safety entity,
34 or public services entity, the board is required to approve
35 the application. The board is also required to approve an

1 application for access to the system by a governmental entity
2 on behalf of a nongovernmental entity within the governmental
3 entity's jurisdiction who the governmental entity believes
4 should have access to the system within 90 days of receipt of
5 the application. Upon approval of the application, the board
6 shall provide the approved entity or nongovernmental entity
7 with access to the appropriate frequencies and with all digital
8 identification and software or authorization necessary to allow
9 the entity to join the system.
10 The bill takes effect upon enactment.